

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Solas OLED Ltd., an Irish corporation,

Plaintiff,

vs.

Samsung Display Co., Ltd, a Korea corporation;

Defendant.

CASE NO. 6:12-cv-00185

**Complaint for Patent
Infringement**

JURY DEMANDED

Complaint for Patent Infringement

Plaintiff Solas OLED Ltd. (“Solas”) files this complaint against Defendant Samsung Display Co., Ltd. (“SDC”), alleging infringement of U.S. Patent No. 6,072,450 (“Patent-in-Suit”). The accused products are SDC’s organic light-emitting diode (“OLED”) display modules included in Apple products.

Plaintiff Solas OLED and the Patents-in-Suit.

1. Plaintiff Solas is a technology licensing company organized under the laws of Ireland, with its headquarters at 4-5 Burton Hall Road, Sandyford, Dublin 18.

2. Solas is the owner of U.S. Patent No. 6,072,450, entitled “Display Apparatus,” which issued June 6, 2000 (the “’450 patent”). A copy of the ’450 patent is attached to this complaint as Exhibit 1.

Defendant and the Accused Products.

3. Defendant Samsung Display Corporation. is a Korea corporation.

4. The accused products are SDC's organic light-emitting diode ("OLED") display modules included in Apple products. As illustrative examples, this includes iPhone, Apple, and MacBook Pro models.

Jurisdiction, venue, and joinder.

5. Solas asserts claims for patent infringement against SDC under the patent laws of the United States, including 35 U.S.C. §§ 271 and 281, et seq. The Court has original jurisdiction over Solas' patent infringement claims under 28 U.S.C. §§ 1331 and 1338(a).

6. The Court has personal jurisdiction over SDC. Defendant SDC has established minimum contacts with the United States as a whole such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice. Defendant SDC has purposefully directed activities at the United States—in particular, directing display modules, either alone and/or included in products such as smartphones and computers, to distributors and customers within the United States (including within this district) and engaging in sales and marketing efforts to generate and support such sales. The claims for infringement arise out of, or relate to, those activities. The exercise of jurisdiction over SDC would not offend traditional notions of fair play and substantial justice.

7. Venue is proper in this district under 28 U.S.C. §1400(b) and 28 U.S.C. §§ 1391(c) because SDC is a foreign defendant.

Count 1 – Claim for infringement of the '450 patent.

8. Solas incorporates by reference each of the allegations in the above paragraphs and further alleges as follows:

9. On June 6, 2000, the United States Patent and Trademark Office issued U.S. Patent No. 6,072,450, entitled "Display Apparatus." Ex. 1.

10. Solas is the owner of the '450 patent with full rights to pursue recovery of royalties for damages for infringement, including full rights to recover past and future damages.

11. Each claim of the '450 patent is valid, enforceable, and patent-eligible.

12. Solas and its predecessors in interest have satisfied the requirements of 35 U.S.C. § 287(a) with respect to the '450 patent, and Solas is entitled to damages for SDC's past infringement.

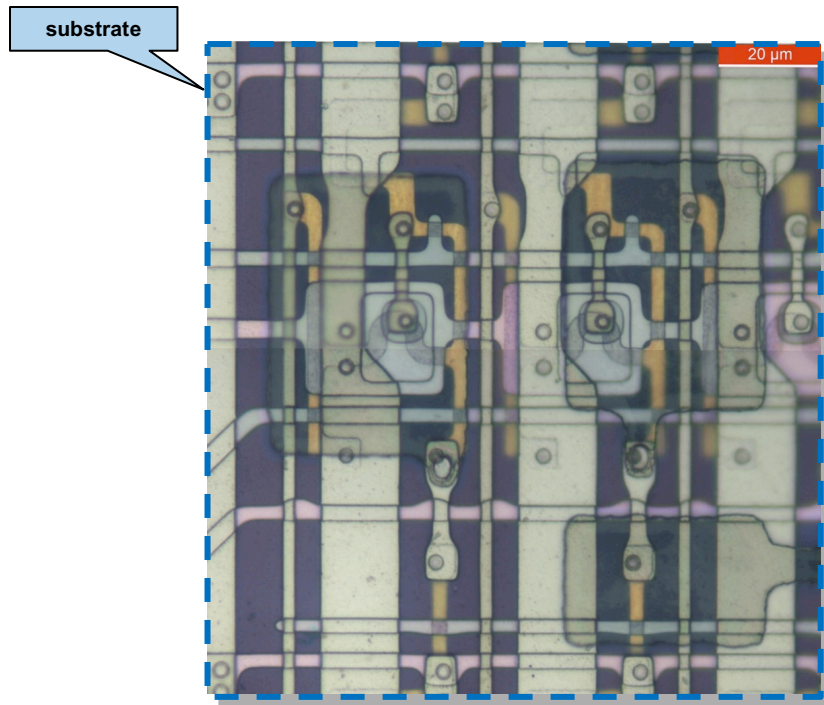
13. SDC has directly infringed (literally and equivalently) and induced others, including, Apple Incorporated, to infringe the '450 patent and, unless enjoined, will continue to do so by making, using, selling, offering for sale, or importing products that infringe the claims of the '450 patent and by inducing others to infringe the claims of the '450 patent without a license or permission from Solas.

Direct Infringement

14. SDC has directly infringed (literally and equivalently) at least one claim of the '450 patent by offering to sell, selling, and importing the Accused Products in the United States. SDC has infringed multiple claims of the '450 patent, including independent claim 1. By way of example only, the SDC's display modules included in the Apple MacBook Pro infringes an exemplary claim of the '450 patent, as in the following description, which Solas provides without the benefit of information about the accused device obtained through discovery. For example, claim 1 claims a display apparatus as follows:

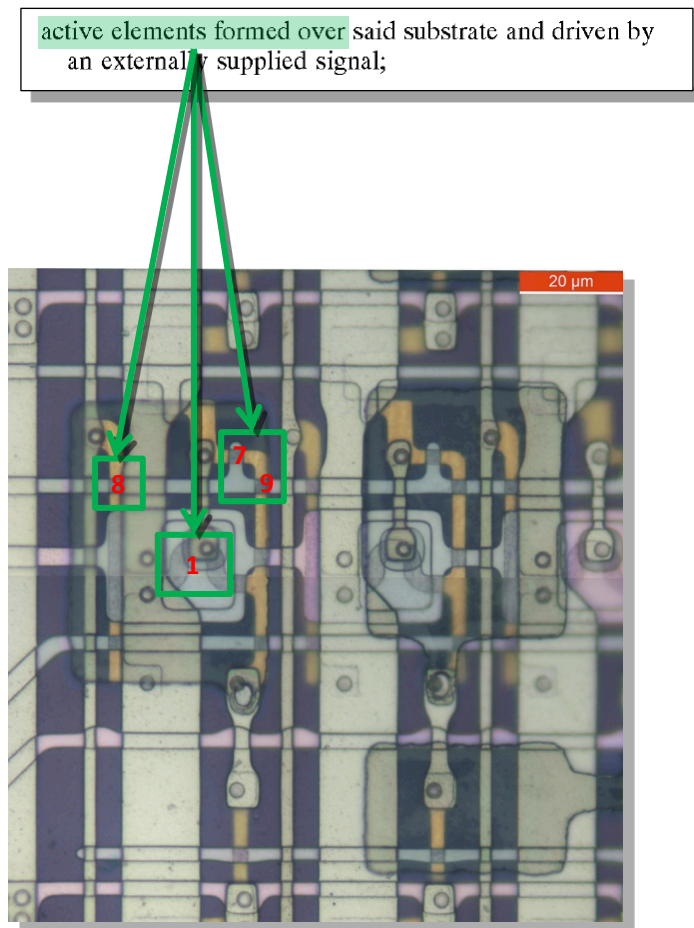
[1a] "a substrate;"

The accused MacBook Pro display modules include Organic Light Emitting Diode (OLED) panels that include a polyimide substrate:



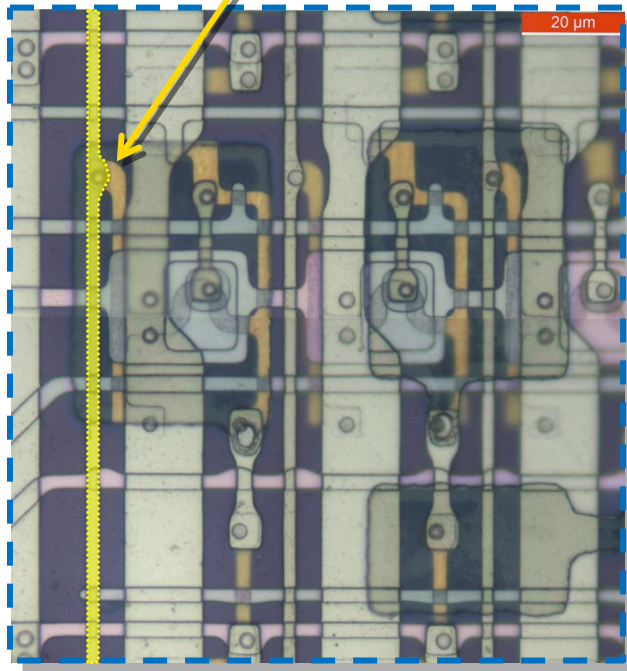
[1b] “active elements formed over said substrate and driven by an externally supplied signal;”

The accused MacBook Pro display modules include active elements formed over the substrate:



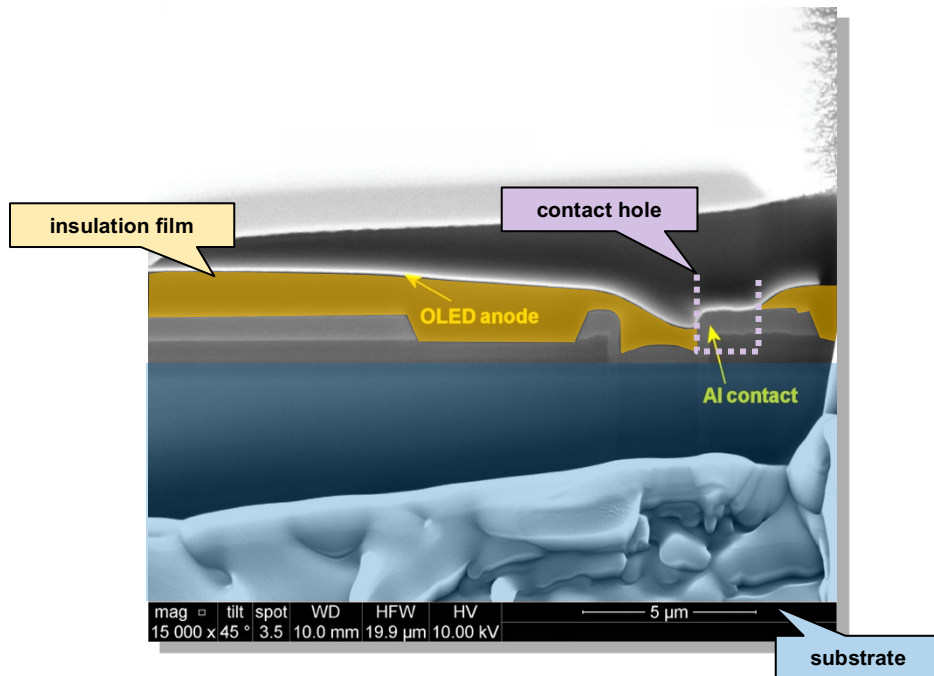
These active elements are driven by an externally supplied signal:

active elements formed over said substrate and driven by an externally supplied signal;



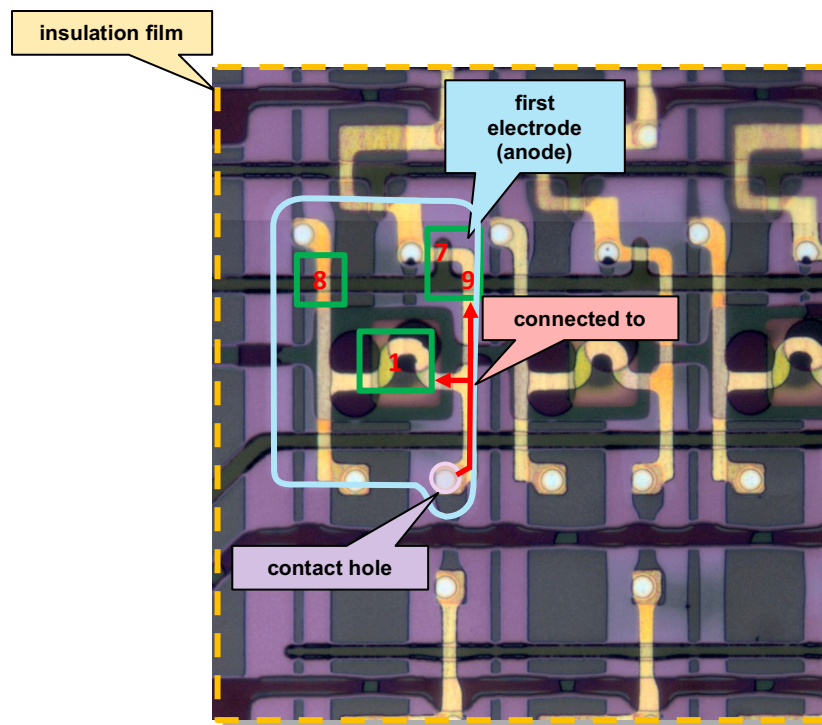
[1c] “an insulation film formed over said substrate so as to cover said active elements, said insulation having at least one contact hole;”

In the accused MacBook Pro display modules, an insulation film is formed over the substrate, covers the active elements, and has contact holes:

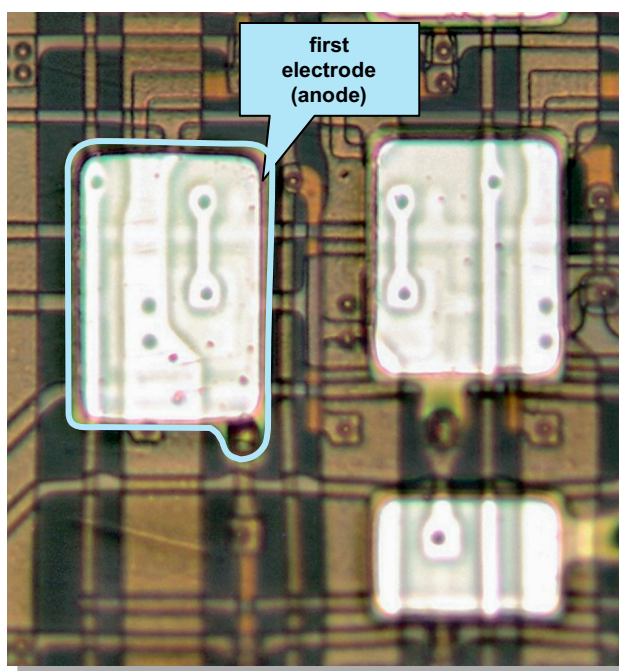


[1d] “at least one first electrode formed on said insulation film so as to cover said active elements, and connected to said active elements through said at least one contact hole, said at least one first electrode being made of a material which shields visible light;”

In the accused MacBook Pro display modules, an electrode is formed on the insulation film, covers active elements, and is connected to active elements through contact holes:



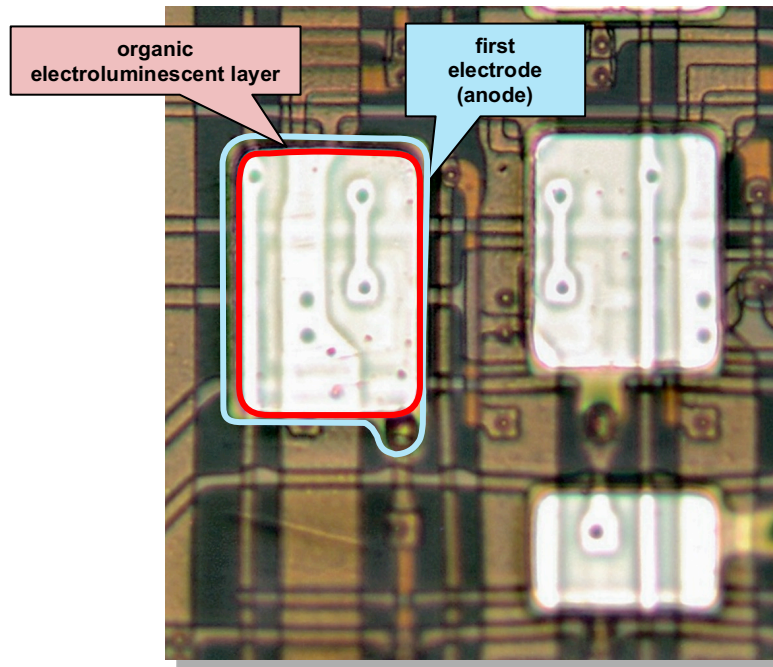
This electrode is formed of a material which shields visible light:



[1e] “an organic electroluminescent layer having an organic electroluminescent material formed on said at least one first electrode so as to cover said active elements and

including at least one layer which emits light in accordance with a voltage applied to said at least one layer;”

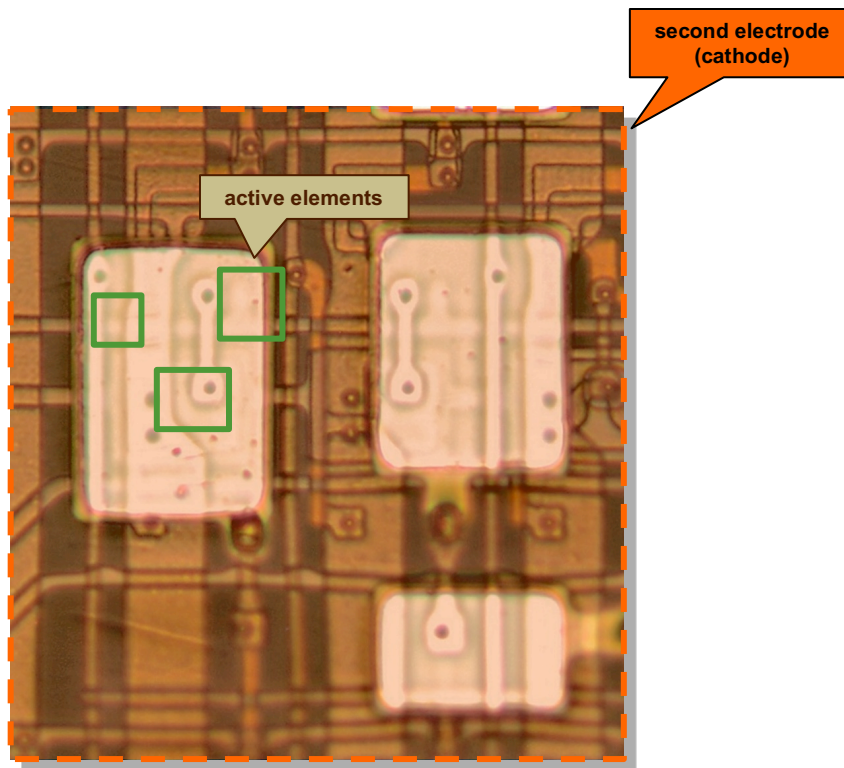
In the accused MacBook Pro display modules, a layer of organic electroluminescent material is formed on the electrode, and covers active elements:



This organic electroluminescent layer emits in accordance with a voltage applied to the layer using the OLED cathode and anode.

[1f] “and at least one second electrode formed on said organic electroluminescent layer which covers said active elements.”

In the accused MacBook Pro display modules, a second electrode is formed on the organic electroluminescent layer:



Indirect infringement

15. SDC has had knowledge of the '450 patent from at least as early as 2006. In US 11/170,158 (published as US2006/0001363A1) ("Active matrix organic light emitting display device and method of fabricating the same"), published on January 5, 2006, assigned to "Samsung SDI Co., Ltd," the '450 patent was cited by the examiner of this patent application in a rejection of Samsung SDI Co. Ltd.'s claims issued on August 17, 2007. U.S. Patent No. 7,402,950 issued based upon this application on July 22, 2008 and cites the '450 patent on its face. On December 12, 2008, Samsung SDI Co. Ltd. assigned this patent to Samsung Mobile Display Co., Ltd. On July 2, 2012, Samsung Mobile Display Co., Ltd. merged into Samsung Display. SDC has known how the Accused Products are made and has known, or have been willfully blind to the fact, that third parties such as Apple Inc., making, using, offering to sell, and selling the accused products within the United States, or importing the Accused Products into the United States, would constitute infringement.

16. SDC has induced, and continues to induce, infringement of the '450 patent by actively encouraging Apple Inc. and entities associated with Apple Inc. to use, offer to sell, sell, and import the Accused Products. On information and belief, these acts include providing information and instructions on the use of the Accused Products; providing information, education and instructions supporting sales by Apple; providing the Accused Products to Apple; and indemnifying patent infringement within the United States.

Damages

17. Solas has been damaged by SDC's infringement of the '450 patent and is entitled to damages as provided for in 35 U.S.C. § 284, including reasonable royalty damages.

Jury demand.

18. Solas demands trial by jury of all issues.

Relief requested.

Solas prays for the following relief:

- A. A judgment in favor of Solas that SDC has infringed the '450 patent and that the '450 patent is valid, enforceable, and patent-eligible;
- B. A judgment and order requiring SDC to pay Solas all damages provided for under 35 U.S.C. § 284, including compensatory damages, costs, expenses, and pre- and post-judgment interest for its infringement of the asserted patents;
- D. A permanent injunction prohibiting SDC from further acts of infringement of the '450 patent;
- E. A judgment and order requiring SDC to provide an accounting and to pay supplemental damages to Solas, including, without limitation, pre-judgment and post-judgment interest;

F. A finding that this case is exceptional under 35 U.S.C. § 285, and an award of Solas' reasonable attorney's fees and costs; and

G. Any and all other relief to which Solas may be entitled.

Dated: February 26, 2021

Respectfully submitted,

/s/ Reza Mirzaie

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